



California Regional Water Quality Control Board

Santa Ana Region



Alan C. Lloyd, Ph.D.
Agency Secretary

3737 Main Street, Suite 500, Riverside, California 92501-3348
Phone (951) 782-4130 - FAX (951) 781-6288
<http://www.waterboards.ca.gov/santaana>

Arnold Schwarzenegger
Governor

February 14, 2005

William A. Morris, Manager of Operations
Aera Energy LLC
20101 Golden West Street
Huntington Beach, Ca 92648

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**MANDATORY PENALTIES COMPLAINT NO. R8-2005-0005 FOR VIOLATIONS OF
WASTE DISCHARGE REQUIREMENTS ORDERS NO. 96-5 AND R8-2002-0078 FOR
AERA ENERGY LLC, HUNTINGTON BEACH CRUDE OIL AND GAS PRODUCTION
FACILITIES (NPDES NO. CAS618001)**

Dear Mr. Morris:

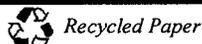
We are enclosing a certified copy of Complaint No. R8-2005-0005 proposing mandatory penalties of \$15,000. The complaint is issued pursuant to California Water Code Section 13385(h) for violations of Waste Discharge Requirements Orders No. 96-5 and R8-2002-0078, NPDES No. CAS618001. An invoice for this amount is also enclosed.

A public hearing on this matter is scheduled for the Regional Board meeting on April 15, 2005. The staff report regarding this complaint and a meeting agenda will be mailed to you not less than 10 days prior to the Board meeting.

You have the option to waive your right to a hearing. Should you waive your right to a hearing and pay the proposed assessment, the Regional Board may not hold a public hearing on this matter. If you choose to waive your right to a hearing, please sign the enclosed waiver form and submit the form with a check or money order for \$15,000. The check or money order should be made payable to the State Water Resources Control Board. The waiver form, the bottom portion of the invoice, and the check or money order should be mailed to Sacramento in the enclosed pre-printed envelope.

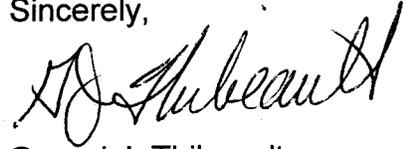
If you do not wish to waive your right to a hearing, a pre-hearing meeting with Board staff is recommended. Should you wish to schedule a pre-hearing meeting, please contact us prior to March 18, 2005. At that time, you may submit information that may not have been previously available to staff regarding these violations. This information should address the accuracy of the findings in the complaint.

California Environmental Protection Agency



If you have any questions regarding this complaint, you may contact Michael Adackapara at (951) 782-3238, or Patrice Copeland at (951) 321-4576. All legal questions should be referred to our legal counsel, Jorge Leon, at (916) 341-5180.

Sincerely,



Gerard J. Thibeault
Executive Officer

Enclosures: Complaint No. R8-2005-0005, Waiver Form, Invoice and envelope

cc w/o enclosures:

Regional Board

State Water Resources Control Board, Division of Water Quality - Bruce Fujimoto

State Water Resources Control Board, Office of Chief Counsel - Jorge Leon

U.S. Environmental Protection Agency, Region 9 (WTR-7) - Kathi Moore

Orange County Resources & Development Management Dept. - Chris Crompton

City of Huntington Beach, NPDES Coordinator - Geraldine Lucas



5. Water Code Section 13385(h) requires the Board to assess a mandatory minimum penalty of three thousand dollars (\$3,000) for each serious violation.
6. As indicated on Attachment A, there are 5 serious violations that meet the mandatory minimum penalty criteria specified in Section 13385(h). These violations are all effluent limit violations.
7. Pursuant to Section 13385(c) of the California Water Code, the Board may impose administrative civil liability for the violations cited in Attachment A. The maximum administrative civil liability that may be imposed for these violations is \$40,000 (for a total of 4 days of violations at \$10,000 per day for each day of violation).
8. The Executive Officer proposes that the Board impose mandatory penalties of \$15,000 on Aera Energy LLC for the violations cited above.
9. You may waive your right to a hearing. If you waive your right to a hearing, please sign the attached waiver form and mail it, together with a check or money order payable to the State Water Resources Control Board, for the amount of mandatory penalties proposed under paragraph 8 above. These documents should be mailed to Sacramento in the enclosed envelope.

If you have any questions, please contact Michael Adackapara at (951) 782-3238, or Patrice Copeland at (951) 321-4576. For legal questions, contact the Regional Board's legal counsel, Jorge Leon, at (916) 341-5180.

February 14, 2005
Date



Gerard J. Thibeault
Executive Officer

Attachment "A"

Summary of MPC Violations
Aera Energy LLC

Constituent (Pollutant Group Identification)	Effluent Limit	Mandatory Penalty Trigger Limit	Concentration (Date of Violation)	Total Violations Subject to MPC
Total Suspended Solids (Group I)	100 mg/L	140 mg/L	273 mg/L (2/26/01 @ Outfall #2) ¹ 284 mg/L (2/26/01 @ Outfall #6) ¹ 258 mg/L (3/1/01 @ Outfall #1) ¹ 220 mg/L (3/15/03 @ Outfall #6) ² 390 mg/L (3/16/03 @ Seapoint Ave.) ²	5
Total Violations:				5

¹ Violations of Order No. 96-5

² Violations of Order No. R8-2002-0078

California Regional Water Quality Control Board
Santa Ana Region

IN THE MATTER OF:

Complaint No. R8-2005-0005
for

William A. Morris, Manager of Operations, LA Basin)
Aera Energy LLC)
20101 Goldenwest Street)
Huntington Beach, CA 92648)

Mandatory Penalties

WAIVER OF HEARING

Aera Energy LLC agrees to waive its right to a hearing before the Santa Ana Regional Water Quality Control Board with regard to the violations alleged in Complaint No. R8-2005-0005. Aera Energy LLC has enclosed a check or money order, made payable to the State Water Resources Control Board, in the amount of \$15,000 for the proposed liability in Paragraph 8 of Complaint No. R8-2005-0005. Aera Energy LLC understands that it is giving up its right to be heard and to argue against allegations made by the Executive Officer in Complaint R8-2005-0005, and against the imposition of, and amount of, the mandatory penalties.

Date

William A. Morris, Manager of Operations, LA Basin
For Aera Energy LLC

Please use the enclosed preprinted envelope to mail:

1. This waiver form, signed and dated;
2. Bottom portion of the invoice; and
3. A check for \$15,000.00 made out to the State Water Resources Control Board.



Alan Lloyd
Secretary for
Environmental
Protection

State Water Resources Control Board



Arnold
Schwarzenegger
Governor

The energy challenge facing California is real.
Every Californian needs to take immediate action to reduce energy consumption.
For a list of simple ways you can reduce demand and cut your energy costs, see our website at <http://www.swrcb.ca.gov>

To:

AERA ENERGY LLC
20101 GOLDEN WEST STREET
HUNTINGTON BEACH, CA 92648
ATTN: Mr. William A. Morris

Invoice No: 55641
Invoice Date: 02/11/2005
Enforcement Action ID: 99868
Enforcement Order No: R8-2005-0005

INVOICE

Milestone ID	Description	Amount	Due Date
65957	LIABILITY AMOUNT	\$15,000.00	05/16/2005
TOTAL AMOUNT DUE		\$15,000.00	

California Environmental Protection Agency



Retain above portion for your records

Please return bottom portion with your payment

AERA ENERGY LLC
20101 GOLDEN WEST STREET
HUNTINGTON BEACH, CA 92648
ATTN: Mr. William A. Morris

Make your check payable to:

State Water Resources Control Board

Milestone ID	Description	Amount	Due Date
65957	LIABDUE	\$15,000.00	05/16/2005
TOTAL AMOUNT DUE		\$15,000.00	

Mail payment to:

SWRCB ACCOUNTING
ATTN: ENFORCEMENT
P. O. Box 100
SACRAMENTO, CA 95812-0100

Amount Enclosed: \$ _____

PLEASE PRINT THE FOLLOWING INVOICE NUMBER ON YOUR CHECK: **55641**

Invoice Date: 02/11/2005
Enforcement Action ID: 99868
Enforcement Order No.: R8-2005-0005